

HOUSE BILL REPORT

SB 5597

As Reported by House Committee On:

Health Care

Finance

Title: An act relating to protecting the health of minors by prohibiting tobacco product sampling.

Brief Description: Prohibiting tobacco product sampling.

Sponsors: Senators Oke, T. Sheldon, Swecker, Thibaudeau, Carlson, Shin, Winsley, Spanel, Kline, Regala, Haugen, Jacobsen, Poulsen, B. Sheldon, Stevens, Keiser, Kohl-Welles and Rasmussen.

Brief History:

Committee Activity:

Health Care: 2/19/04, 2/27/04 [DPA];

Finance: 3/1/04 [DPA(HC)].

Brief Summary of Bill (As Amended by House Committee)

- Distribution of samples of tobacco products is restricted to 21 and over locations.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: Do pass as amended. Signed by 11 members: Representatives Cody, Chair; Morrell, Vice Chair; Bailey, Ranking Minority Member; Alexander, Campbell, Clibborn, Darneille, Moeller, Rodne, Schual-Berke and Skinner.

Staff: Dave Knutson (786-7146).

Background:

A marketing technique used by cigarette makers is the distribution of free samples. The business of sampling is regulated by the Liquor Control Board. Upon payment of an annual fee, a sampler may distribute tobacco samples in authorized areas. These areas include: areas where children under the age of 18 are denied admission, in a store or concession to which a retailer's license has been issued, or at or adjacent to a production, repair, or outdoor construction site or facility. Samplers are prohibited from distributing samples within 500 feet of a playground, school, or other facility being used primarily by persons under 18 years of age.

Summary of Amended Bill:

Distribution of samples of tobacco products to members of the public is prohibited in any place other than a 21 and over location.

Amended Bill Compared to Original Bill:

Tobacco samples may be distributed in 21 and over locations only. The total ban on tobacco sampling is deleted.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: Children need to be protected from exposure to tobacco products. Tobacco sampling is a tool to get new consumers for tobacco products. Children have gotten tobacco products from tobacco sampling events.

Testimony Against: None.

Persons Testifying: (In support) Senator Oke, prime sponsor; Mary Selecky, Department of Health; Ryan Lundquist, Gig Harbor High School Student; and Mike O'Sullivan, American Cancer Society.

Persons Signed In To Testify But Not Testifying: (In support) Nick Federici, American Lung Association of Washington.

HOUSE COMMITTEE ON FINANCE

Majority Report: Do pass as amended by Committee on Health Care. Signed by 7 members: Representatives McIntire, Chair; Hunter, Vice Chair; Cairnes, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Ahern, Conway and Santos.

Minority Report: Do not pass. Signed by 1 member: Representative Morris.

Staff: Rick Peterson (786-7150).

Summary of Recommendation of Committee On Finance Compared to Recommendation of Committee On Health Care:

No new changes were recommended

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: This bill is about children. Eighty percent of people who take up smoking do it before they are 18. The tobacco companies are after our children. This is a gateway drug. If we have young people not take that first cigarette then we can keep them from doing lots of other things. We can't stand by while an industry goes after our children. The amendment from Health Care Committee should lower the fiscal impact and make enforcement easier.

Testimony Against: None.

Persons Testifying: Senator Oke, prime sponsor; and Nick Federici, American Lung Association of Washington.

Persons Signed In To Testify But Not Testifying: None.